

CITY OF TIGARD, OREGON

RESOLUTION NO. 06- 43

A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 31 (SW O'MARA AND EDGEWOOD STREETS) AND AMENDING THE PRELIMINARY CITY ENGINEER'S REPORT CONTAINED IN RESOLUTION NO. 05-18.

WHEREAS, on March 8, 2005, the City Council approved Resolution 05-18 to form Sanitary Sewer District No. 31 to construct sewers in SW O'Mara and Streets in accordance with TMC Chapter 13.09; and

WHEREAS, Resolution No. 05-18 included the City Engineer's Report that included an estimated construction and total project cost; and

WHEREAS, construction of the sewer improvements has been completed, final costs have been determined, and the City Engineer's Report has been revised to include the final costs as required by TMC 13.09.105 (1); and

WHEREAS, the property owners within the district have been notified of an informational hearing in accordance with TMC 13.09.060 and an informational hearing was conducted in accordance with TMC 13.09.105; and

WHEREAS, the City Council has determined that the proposed revisions to the City Engineer's Report, as recommended by the City Engineer, are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

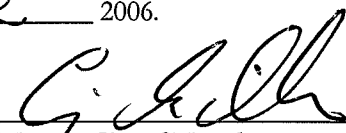
SECTION 1 The Final City Engineer's Report titled "Sanitary Sewer Reimbursement District No. 31", attached hereto as Exhibit A, is hereby approved.

SECTION 2 The City Engineer's Report as presented in Resolution No. 05-18 is hereby amended by the attached Final City Engineer's Report (Exhibit A).

SECTION 3 The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address.

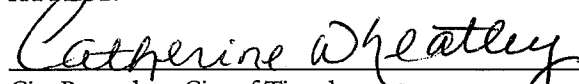
SECTION 4 This resolution is effective immediately upon passage.

PASSED: This 27th day of June 2006.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

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RESOLUTION NO. 06 - 43

Exhibit A
Final City Engineer's Report
Sanitary Sewer Reimbursement District No. 31
(SW O'Mara, Edgewood Streets)

Background

This project was constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program, the City of Tigard installed public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner must pay a connection fee, currently \$2,635, and reimburse the City for a fair share of the cost of the public sewer. The connection fee increases to \$2,735 beginning July 1, 2006. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

Serving the forty-six lots in the following table required the extension of a sewer from an interceptor sewer along Fanno Creek north of SW O'Mara Street. The sewer has provided service to the lots along SW O'Mara Street east of SW Chelsea Loop. The lots along SW O'Mara Street west of SW Chelsea Loop are currently served by sewers constructed through Reimbursement Districts Nos. 17, 23, and 28.

The project has provided sewer service to a total of forty-six lots as shown on Exhibit Map B.

Cost

The final cost for the sanitary sewer construction to provide service to the forty-six lots is \$682,118.59. Engineering and inspection fees amount to \$92,086.01 (13.5%) as defined in TMC 13.09.040(1). The final total project cost is \$774,204.60. This is the amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay an additional connection and inspection fee when connection to the public line is made. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

Except for the three R-12 lots between SW Chelsea Loop and SW O'Mara Street, all properties are zoned R-4.5 and vary in lot size from about thirteen thousand to fifty eight thousand square feet, as may be seen in the following list of lots. Therefore, it is recommended that the total cost of the project be divided among the forty-six properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's final fair share of the public sewer line is \$0.638124 per square foot of the lot served. Each owner's fair share would be limited to \$6,000 to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed as provided by Resolution No. 03-55 (attached).

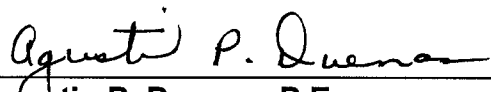
Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that Reimbursement District No. 31 be finalized with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in the Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted June 13, 2006


Agustin P. Duenas, P.E.
City Engineer

O'MARA ST & EDGEWOOD ST

FY 2004-05 Sanitary Sewer Extension Program Reimbursement District No. 31

Cost to Property Owners Based on Final Project Cost
May 26, 2006

OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	AREA (AC)	FINAL COST TO PROPERTY OWNER	* PAID BY OWNER	PAID BY CITY
ABBOTT TERRY A & LAURIE J	8995 SW EDGEWOOD ST	2S102DC00503	24689.30088	0.567	\$15,755	\$6,755	\$9,000
BAILEY LAWRENCE E II & ROSEL LA K	9355 SW EDGEWOOD ST	2S102DC00101	20056.49867	0.460	\$12,799	\$6,000	\$6,799
BLICK CARL J & DONA JEAN	8740 SW O'MARA ST	2S102DD01500	20175.60963	0.463	\$12,875	\$6,000	\$6,875
BOTHWELL ANNE M	9265 SW EDGEWOOD ST	2S102DC00400	15637.36644	0.359	\$9,979	\$6,000	\$3,979
CLARK PAUL E & BETTY J	9160 SW EDGEWOOD ST	2S102DC01603	33997.19912	0.780	\$21,694	\$12,694	\$9,000
CROSSWHITE DAVID E & JANICE A	8855 SW EDGEWOOD ST	2S102DC00900	50911.32084	1.169	\$32,488	\$23,488	\$9,000
DEMMIN DWAYNE W & ANGELA L	8930 SW O'MARA ST	2S102DC00600	13625.66136	0.313	\$8,695	\$6,000	\$2,695
DUFFIELD EDWARD & SUSAN D	8895 SW EDGEWOOD ST	2S102DC01200	16186.11959	0.372	\$10,329	\$6,000	\$4,329
GEDNEY FRAYNIE M TRUSTEE	9270 SW EDGEWOOD ST	2S102DC01800	50411.28438	1.157	\$32,169	\$23,169	\$9,000
WITCOSKY, TAMMY for Gedney	mail: 9400 SW Panorama Place	Portland, OR 97225					
GEOFFROY DOUGLAS B	9325 SW EDGEWOOD ST	2S102DC00200	24743.33031	0.568	\$15,789	\$6,789	\$9,000
GETSINGER EVELYN M FAMILY TRUST	9400 SW EDGEWOOD ST	2S102DC02001	35250.63218	0.809	\$22,494	\$13,494	\$9,000
GILCHRIST EARL & J NONA	9100 SW EDGEWOOD ST	2S102DC01601	56928.39634	1.307	\$36,327	\$27,327	\$9,000
GOETZ HOWARD V & NANCY K	8935 SW EDGEWOOD ST	2S102DC01100	18293.89408	0.420	\$11,674	\$6,000	\$5,674
GUERRANT ORVILLE D	9510 SW EDGEWOOD ST	2S102CD02200	46701.73554	1.072	\$29,801	\$20,801	\$9,000
HARRIS RICK G	8930 SW EDGEWOOD ST	2S102DC01305	16305.66235	0.374	\$10,405	\$6,000	\$4,405
HAWKINS JEFFERY S	8900 SW O'MARA ST	2S102DC00700	13645.65324	0.313	\$8,708	\$6,000	\$2,708
HOLLAND RONALD P & MARY L	8850 SW EDGEWOOD ST	2S102DD01603	20109.18295	0.462	\$12,832	\$6,000	\$6,832
HOLSTEIN MARVIN R & LORETTA R TRS	8710 SW O'MARA ST	2S102DD01400	23691.77358	0.544	\$15,118	\$6,118	\$9,000
HURLBUTT WILLIAM M & CHRISTINE	8990 SW EDGEWOOD ST	2S102DC01400	57718.68462	1.325	\$36,832	\$27,832	\$9,000
JENSEN DAVID L AND LOIS C	8840 SW EDGEWOOD ST	2S102DD01601	21395.25091	0.491	\$13,653	\$6,000	\$7,653
JOHNSON CLARENCE DEAN	9440 SW EDGEWOOD ST	2S102CD02300	54799.29846	1.258	\$34,969	\$25,969	\$9,000
KANDZIORA GABRIELA	9360 SW EDGEWOOD ST	2S102DC02000	43470.80722	0.998	\$27,740	\$18,740	\$9,000
KING SCOTT G & ELIZABETH A	9235 SW EDGEWOOD ST	2S102DC00403	26879.06574	0.617	\$17,152	\$8,152	\$9,000
KRAEMER JULIA A & MARK W	13545 SW HALL BLVD	2S102DD01300	31045.22428	0.713	\$19,811	\$10,811	\$9,000
LALLY DONALD P & BRENDA J	8870 SW O'MARA ST	2S102DC00800	13625.64321	0.313	\$8,695	\$6,000	\$2,695
LARSEN PAUL ANDREW	9115 SW EDGEWOOD ST	2S102DC00510	23540.26543	0.540	\$15,022	\$6,022	\$9,000
LARVIK KENNETH E	9155 SW EDGEWOOD ST	2S102DC00507	23472.75149	0.539	\$14,979	\$6,000	\$8,979
LASNIEWSKI WILLIAM L	8860 SW EDGEWOOD ST	2S102DD01604	20954.86421	0.481	\$13,372	\$6,000	\$7,372
MADSEN JUDITH L	9515 SW EDGEWOOD ST	2S102CD01100	14909.53089	0.342	\$9,514	\$6,000	\$3,514
MCANDREW JOHN W & ANGELA D	8830 SW O'MARA ST	2S102DD01501	28545.5965	0.655	\$18,216	\$9,216	\$9,000
MITCHELL CARL R	9435 SW EDGEWOOD ST	2S102CD04600	20544.81671	0.472	\$13,110	\$6,000	\$7,110
MUTSCHLER DAVID K	9465 SW EDGEWOOD ST	2S102CD01000	12594.65596	0.289	\$8,037	\$6,000	\$2,037
OTT GARETH & S ANNE	9055 SW EDGEWOOD ST	2S102DC00509	23669.8938	0.543	\$15,104	\$6,104	\$9,000
OTTING LOIS E	8885 SW O'MARA ST	2S102DB00603	15001.32759	0.344	\$9,573	\$6,000	\$3,573
PALMER MARCIA R	9070 SW EDGEWOOD ST	2S102DC01501	22918.17354	0.526	\$14,625	\$6,000	\$8,625
RUSSELL NORMAN L	8857 SW EDGEWOOD ST	2S102DC01000	33464.58903	0.768	\$21,355	\$12,355	\$9,000
SABBE REMI & APRIL	9175 SW EDGEWOOD ST	2S102DC00505	23454.92307	0.538	\$14,967	\$6,000	\$8,967
SIMMONS CRAIG & JOELLE	9300 SW EDGEWOOD ST	2S102DC01900	41056.57049	0.943	\$26,199	\$17,199	\$9,000
STEINBICHLER GEORGE	8855 SW O'MARA ST	2S102DB00601	14876.85707	0.342	\$9,493	\$6,000	\$3,493
SULLIVAN RICHARD A & SUZANNE P	9085 SW EDGEWOOD ST	2S102DC00501	23606.74177	0.542	\$15,064	\$6,064	\$9,000
TENY GEORGE & JENNA	9200 SW EDGEWOOD ST	2S102DC01700	31528.01019	0.724	\$20,119	\$11,119	\$9,000
TOKUDA KAZUhide	8870 SW EDGEWOOD ST	2S102DD01602	18280.24651	0.420	\$11,665	\$6,000	\$5,665
UNDERHILL MARK R	8960 SW EDGEWOOD ST	2S102DC01401	15021.67692	0.345	\$9,586	\$6,000	\$3,586
WACHSMUTH LOUIS J	9285 SW EDGEWOOD ST	2S102DC00404	15442.88997	0.355	\$9,854	\$6,000	\$3,854
WILSON JOHN G & JODY K	8965 SW EDGEWOOD ST	2S102DC00504	24761.79526	0.568	\$15,801	\$6,801	\$9,000
ZINDA TODD	8915 SW O'MARA ST	2S102DB00602	15309.16854	0.351	\$9,769	\$6,000	\$3,769
Totals			1213250	27.85	\$774,204	\$451,019	\$323,185

(Cost to Owners + Cost to City) = **\$774,204**

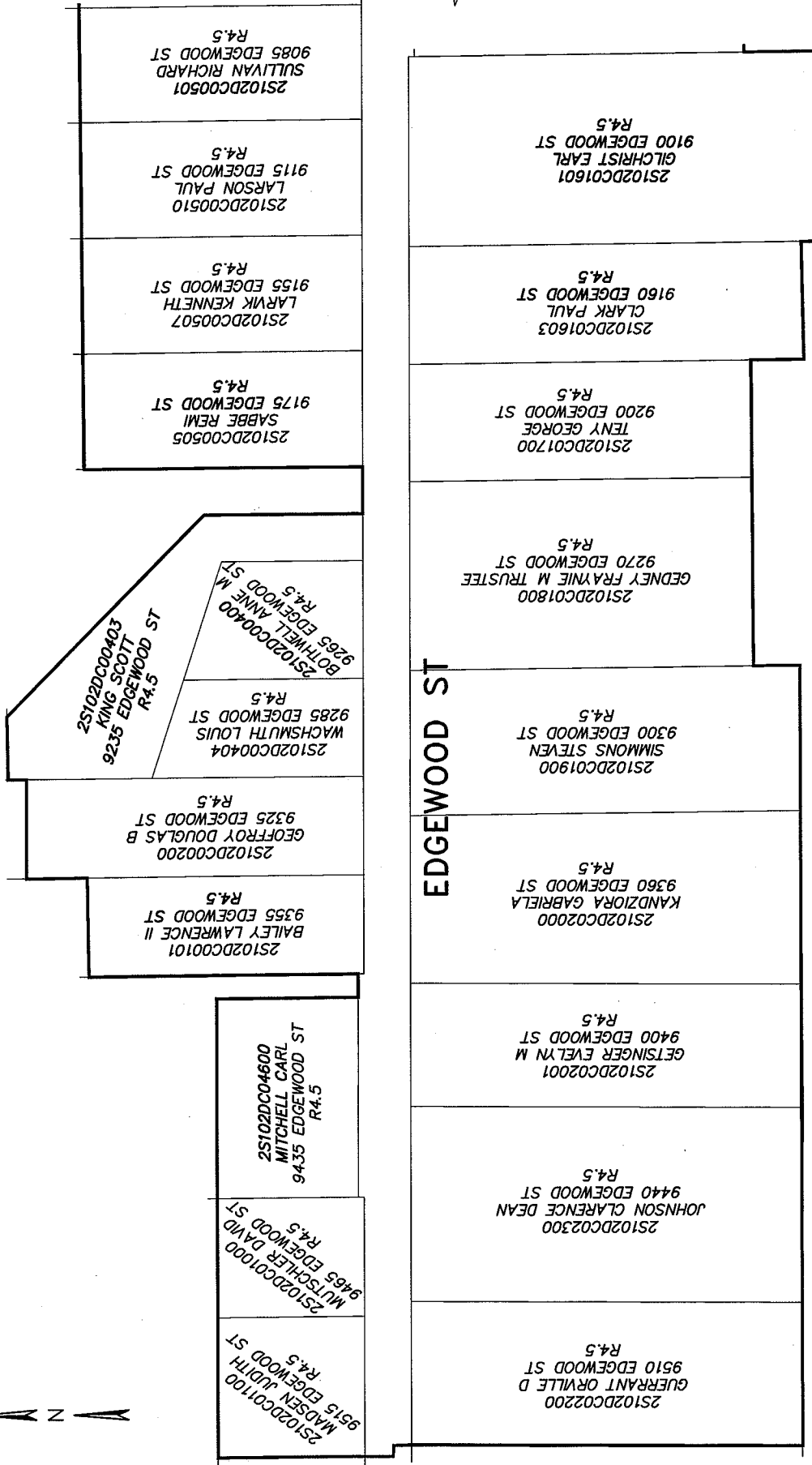
O'MARA ST & EDGEWOOD ST
FY 2004-05 Sanitary Sewer Extension Program Reimbursement District No. 31
Cost to Property Owners Based on Final Project Cost

May 26, 2006

Final Construction Cost	\$682,118.59
13.5% (Admin & Eng)	\$92,086.01
total project costs	\$774,204.60
total area to be served (S.F.)	1,213,250
total cost per S.F. to property owner	\$0.638124

O'MARA ST & EDGEWOOD ST
 FY 2004-05 SANITARY SEWER EXTENSION PROGRAM
 REIMBURSEMENT DISTRICT #31

A PORTION OF THE SW 1/4 OF SECTION 2 T2S R1W W.M.

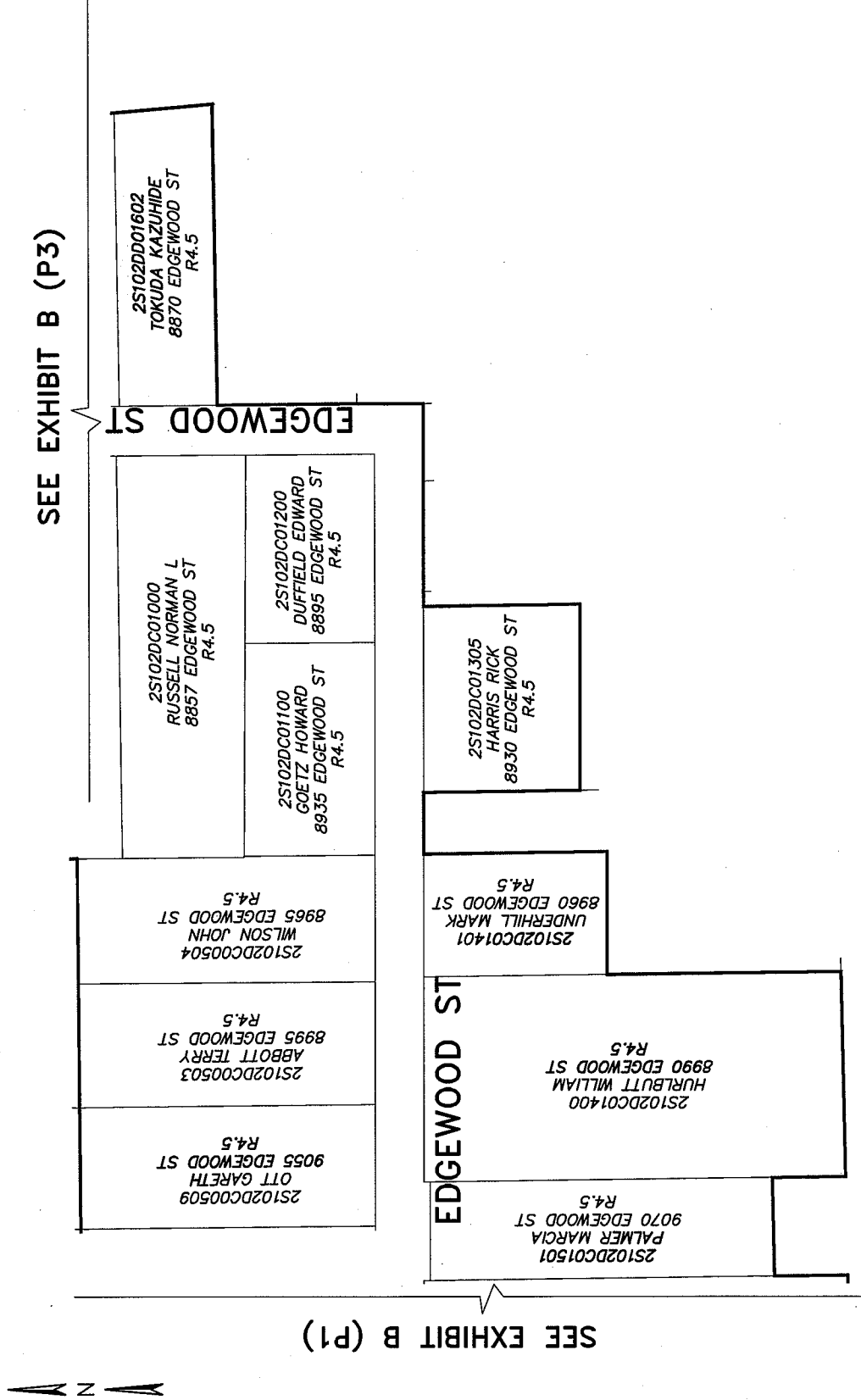


SEE EXHIBIT B (P2)

EXHIBIT B (p1)
 NTS

NOTE:
 All properties in the reimbursement
 district are zoned R4.5 & R12

O'MARA ST & EDGEWOOD ST
 FY 2004-05 SANITARY SEWER EXTENSION PROGRAM
 REIMBURSEMENT DISTRICT #31
 A PORTION OF THE SW 1/4 OF SECTION 2 T2S R1W W.M.



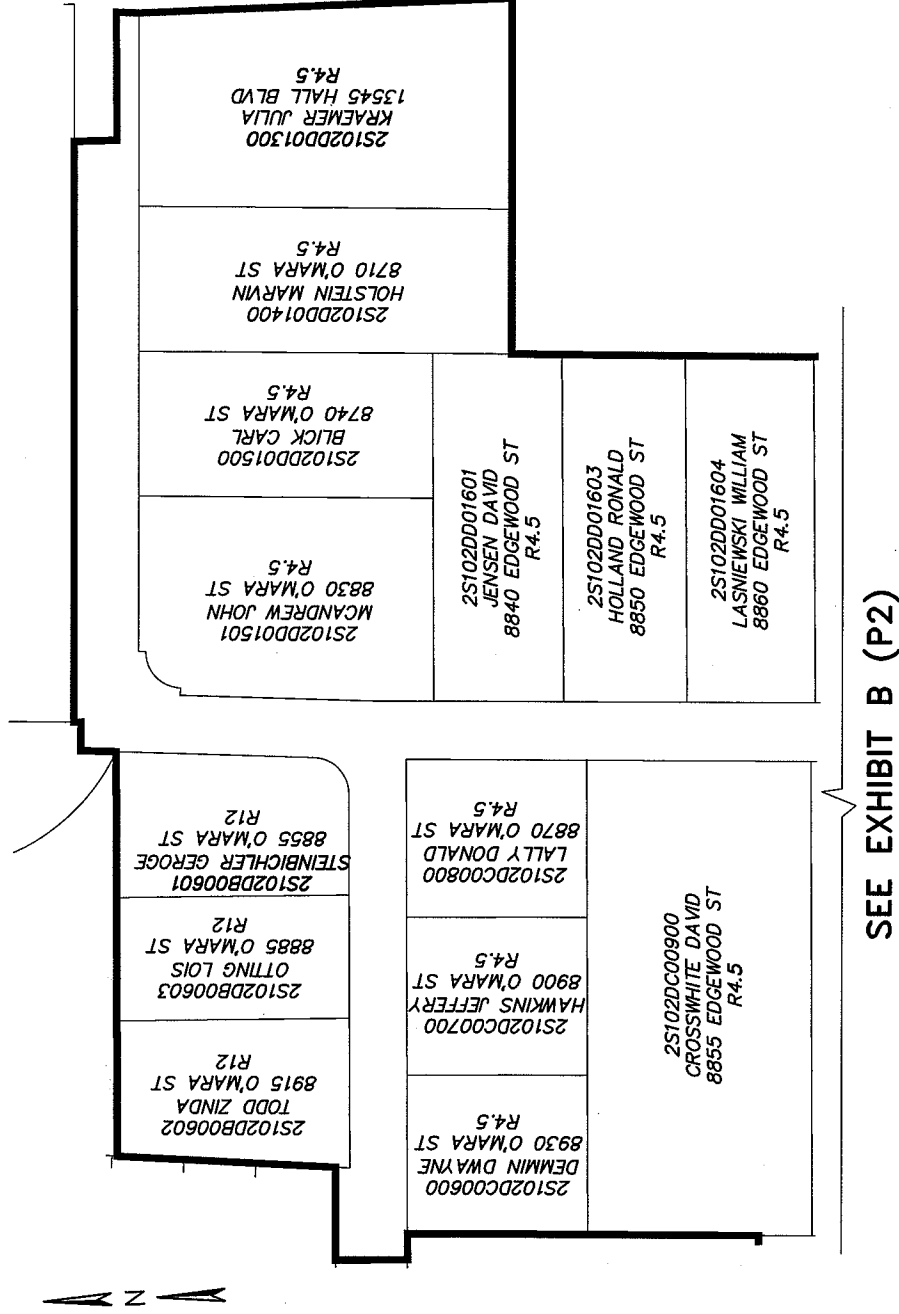
NOTE:

All properties in the reimbursement district are zoned R4.5 & R12

EXHIBIT B (p2)

NTS

O'MARA ST & EDGEWOOD ST
 FY 2004-05 SANITARY SEWER EXTENSION PROGRAM
 REIMBURSEMENT DISTRICT #31
 A PORTION OF THE SW 1/4 OF SECTION 2 T2S R1W W.M.



NOTE:
 All properties in the reimbursement district are zoned R4.5 & R12

EXHIBIT B (p3)
 NTS